

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Guadalupe Betancourt,

Plaintiff,

Case No. 1:12-cv-491

v.

Hon. GORDON J QUIST

Shiv Ram Corp.

Defendant

Pete M. Monismith	Jeffrey D. Klug (P72011)
Pet M. Monismith, Esq.	Thomas A. Klug (27462)
Attorney for Plaintiff	KLUG LAW FIRM
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STIPULATION AND PROTECTIVE ORDER

The Court, on stipulation of the parties hereto, issues this Protective Order to facilitate document disclosure and production under the Local Rules of this Court and the Federal Rules of Civil Procedure. Unless modified pursuant to the terms contained in this Order, this Order shall remain in effect through the conclusion of this litigation.

In support of this order, the parties agree that:

1. Documents or information containing confidential proprietary and business information and/or trade secrets, including tax returns and employee information ("Confidential Information") that bear significantly on the parties claims or defenses is likely to be disclosed or produced during the course of discovery in this litigation;



2. The parties to this litigation may assert that public dissemination and disclosure of Confidential Information could severely injure or damage the party disclosing or producing the Confidential Information and could place that party at a competitive disadvantage or at issue with one or more employees;
3. Counsel for the party or parties receiving Confidential Information are presently without sufficient information to accept the representation(s) made by the party or parties producing Confidential Information as to the confidential, proprietary, and/or trade secret nature of such Confidential Information; and
4. To protect the respective interests of the parties and to facilitate the progress of disclosure and discovery in this case, the following Order should issue:

IT IS THEREFORE ORDERED THAT:

1. Documents or discovery responses containing Confidential Information disclosed or produced by any party in this litigation are referred to as "Protected Documents." Except as otherwise indicated below, all documents or discovery responses designated by the producing party as Confidential Information and which are disclosed or produced to the attorneys for the other parties to this litigation are Protected Documents and are entitled to confidential treatment as described below.
2. Protected Documents shall not include (a) advertising materials, (b) materials that on their face show that they have been published to the general public, or (c) documents that have submitted to any governmental entity that can be disclosed to the general public without violation of any disclosure rules, regulations and/or laws.



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3. Confidential Treatment. Protected Documents and any information contained therein shall not be used or shown, disseminated, copied, or in any way communicated to anyone for any purpose whatsoever, except as provided herein.
4. Protected Documents and any information contained therein shall be used solely for the prosecution of this litigation.
5. The term "copy" as used herein means any photographic, scanning, mechanical or computerized copy or reproduction of any document or thing, or any verbatim transcript, in whole or in part, of such document or thing.
6. To the extent that Protected Documents or information contained therein are used in depositions, at hearings, or at trial, such documents or information shall remain subject to the provisions of this Order, along with the transcript pages of the deposition testimony and/or trial testimony referring to the Protected Documents or information contained therein.
7. Inadvertent or unintentional production of documents or information containing Confidential Information which are not designated "confidential" shall not be deemed a waiver in whole or in part of a claim for confidential treatment.
8. The party or parties receiving Protected Documents shall not under any circumstances sell, offer for sale, advertise, or publicize Protected Documents or any information contained therein.
9. After termination of this litigation, the provisions of this Order shall continue to be binding, except with respect to those documents and information that become a matter of public record. This Court retains and shall have continuing jurisdiction over the parties



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and recipients of the Protected Documents for enforcement of the provisions of this Order following termination of this litigation.

10. This Order shall be binding upon the parties and their attorneys, successors, executors, personal representatives, administrators, heirs, legal representatives, assigns, subsidiaries, divisions, employees, agents, independent contractors, or other persons or organizations over which they have control.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: 16 Sept 2013



Pete M. Monismith
Attorneys for Plaintiff

DATED: 9/17/2013



Jeffrey D. Klug
Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

Hon. _____



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